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7/23/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anthony D. Estes  
Serial No. : 09/353,896  
Filed : July 16, 1999  
Title : DIRECT RESPONSE E-MAIL

Art Unit : 2765  
Examiner : G. Akers

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**BOX AF**

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO ACTION DATED MAY 16, 2001

In the telephone interview on June 26, 2001, we emphasized to the examiner, and we here confirm, that the recited elements of applicant's claims refer entirely to "e-mail" or to "e-mail messages".<sup>1</sup> Gifford's system, by contrast, is web-based. Claim 1, for example, recites "analyzing an e-mail message to derive response information concerning a commercial transaction ... the e-mail message including at least part of an e-mail sent to a customer and a response of a customer to the e-mail ... ." In Gifford, by contrast, a customer can communicate a desire to buy an article by choosing a web page link (see Figure 3 and col. 5, lines 54 – 62). Another web page, shown in Figure 4, requests credit card information (see col. 6, lines 33 – 41). The customer fills in fields in the web page and sends it back to the system (see col. 6, lines 41 – 46), which delivers the content in the form of another web page containing the news article, as shown in Figure 5. None of these communications is an e-mail message. The features of the other claims, all of which refer to e-mail and e-mail messages are distinguishable from what Gifford discloses or suggests, for similar reasons.

<sup>1</sup> The claims, of course, are broad enough to cover the recited invention even when used in the context of an e-mail based system employing other components including web-based ones.

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

July 16, 2001

Signature

Julia Doherty

Typed or Printed Name of Person Signing Certificate

Julia Doherty

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Attorney Docket No.: 10246-007001

Applicant asks that all claims be allowed. Please apply any other charges or credits to  
Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

7/16/01



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